

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

CR 17-50144

Plaintiff,

AMENDED FACTUAL BASIS
STATEMENT

vs.

DANA FAULKNER,
a/k/a "Diablo,"

Defendant.

The Defendant states the following facts are true, and the parties agree they establish a factual basis for the offenses to which the Defendant is pleading guilty pursuant to Federal Rule of Criminal Procedure 11(b)(3):

Beginning on or about May 2017, Dana Faulkner, a/k/a "Diablo", the defendant, along with several other people, reached an agreement or came to an understanding to distribute methamphetamine in the District of South Dakota. He voluntarily and intentionally joined in the agreement or understanding to distribute methamphetamine.

Methamphetamine and other controlled substances were brought to South Dakota from Colorado by the defendant, or by others through arrangements with him. Once the defendant arrived in the Rapid City area, the defendant dispersed methamphetamine to others for use and distribution. Some of the controlled substances the defendant supplied were on a "front", meaning the defendant would provide the substances without receiving payment initially and would get

paid at a later date. It was reasonably foreseeable to the defendant that at least 500 grams of methamphetamine would be distributed in the course of the conspiracy. Methamphetamine is a Schedule II controlled substance.

During the conspiracy, the defendant displayed his firearm to other individuals in order to intimidate them in furtherance of the drug distribution conspiracy. On August 28, 2017, law enforcement had contact with the defendant and recovered a Taurus, model PT 24/7 PRO C DS, .40 caliber pistol, bearing serial number SD097005.


The parties submit that the foregoing statement of facts is not intended to be a complete description of the offense or the Defendant's involvement in it. Instead, the statement is offered for the limited purpose of satisfying the requirements of Fed. R. Crim. P. 11(b)(3). The parties understand that additional information relevant to sentencing may be developed and attributed to the Defendant for sentencing purposes.

RONALD A. PARSONS, JR.
United States Attorney

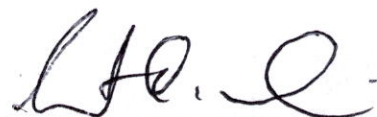
7/1/19
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Date


Dana Faulkner
Defendant

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Date


Stephen D. Demik
Attorney for Defendant